UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/918,425	07/28/2001	Michael S. Allison	10018218-1	4633

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EXAMINER
RIES, LAURIE ANNE

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 12/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)
Office Action Summary		09/918,425	ALLISON ET AL.
		Examiner	Art Unit
		Laurie Ries	2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 October 2005*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *28 July 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: Amendment, filed 11 October

2005, to the original application filed 28 July 2001.

2.   Claims 1-4 and 6-20 remain rejected under 35 U.S.C. 103(a) as being

unpatentable over Rock (U.S. Patent 6,524,245 B1) in view of Kleinman (U.S. Patent

5,724,503).

3.   The rejection of claim 5 under 35 U.S.C. 103(a) as being unpatentable over Rock

(U.S. Patent 6,524,245 B1) in view of Kleinman (U.S. Patent 5,724,503) and Hahn (U.S.

Patent 6,725,446 B1) has been removed as necessitated by amendment and newly

found prior art.

4.   Claims 1-20 are pending. Claims 1 and 15 are independent claims.

Response to Arguments

5.   Applicant's arguments filed 11 October 2005 have been fully considered but they

are not persuasive.

In response to applicant's argument on Page 7 of the Instant Amendment that the

examiner's conclusion of obviousness is based upon improper hindsight reasoning, it

must be recognized that any judgment on obviousness is in a sense necessarily a

reconstruction based upon hindsight reasoning. But so long as it takes into account

only knowledge which was within the level of ordinary skill at the time the claimed

invention was made, and does not include knowledge gleaned only from the applicant's

disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170

USPQ 209 (CCPA 1971).

Applicant argues on Pages 8, 9 and 10 of the Instant Amendment that Rock in

combination with Kleinman fails to teach chassis codes converted into one or more text

strings. The Office respectfully disagrees. The Instant Application defines a chassis

code as "events from internal entities to specify system health during boot up and

operation (See Instant Application, Page 1, paragraph 0003). Rock teaches a system

and method for analyzing events from electronic architecture, which include error

messages from various components of the electronic architecture indicating a problem

with the health of the component (See Rock, Column 1, lines 43-60). By Applicant's

definition, the error messages taught by Rock are equivalent to the chassis codes as

claimed in the Instant Application. While Rock does not expressly teach that the

chassis code is represented as a text string, Kleinman provides this teaching.

Kleinman, like Rock, deals with the processing of electronic exception messages, such

as error messages. Kleinman teaches that such messages may be processed as

English text strings (See Kleinman, Column 9, lines 22-31). The motivation for

converting electronic exception messages into English text would have been to allow for

a user of the system to more easily read the error message, as expressed in text form, rather than as an exception identifier or code (See Kleinman, Column 3, lines 46-48).

Applicant argues on Page 10 of the Instant Amendment that Rock in combination with Kleinman teaches only problems based on single error events, the Office respectfully disagrees. Rock teaches that multiple error messages may be sent and processed from a number of applications within the system (see Rock, Figure 4, Column 4, lines 59-67, and Column 5, lines 1-15).

Applicant argues on Page 10 of the Instant Amendment that Rock in combination with Kleinman fails to teach that the error messages relate to system health, the Office respectfully disagrees. Rock teaches in Appendix I located in Column 9, lines 1-22, that the errors messages could pertain to "low-level plumbing such as the operating system, boot scripts, harmony..." It is well known in the art that error messages associated with an operating system relate to the health of the operating system.

Applicant argues on Pages 10 and 12 of the Instant Amendment that Rock in combination with Kleinman fails to teach executing an embedded program with one of the chassis codes, or error messages, as an argument to further analyze problems associated with the entity. The Office respectfully disagrees. Rock teaches that the error message is transmitted to a network management station coupled to each component that analyzes the error messages to determine what further action is required (See Rock, Column 3, lines 62-67, and Column 4, lines 1-42).

Applicant argues on Page 10 of the Instant Amendment that Rock in combination with Kleinman fails to teach an extraction tool coupled to the architecture for extracting

chassis logs from the architecture. The Office respectfully disagrees. Rock teaches
that a network management station is coupled with each component in the network and
is further coupled with a remote service center (See Rock, Column 2,lines 24-31). Rock
teaches that the network management station responds to the error message, or
chassis code, automatically to log the error message and to determine whether further
action is required (See Rock, Column 4, lines 21-29). The network management station
extracts the error messages to determine the proper response (See Rock, Column 4,
lines 9-20).

Applicant argues on Page 11 of the Instant Amendment that Rock in combination
with Kleinman fails to teach a graphical user interface coupled to one or more
analyzers. The Office respectfully disagrees. Rock teaches a review station that
includes a user interface for processing the error messages, or chassis codes (See
Rock, Column 2, lines 64-67, and Column 3, lines 1-3).

Applicant argues on Page 11 of the Instant Amendment that Rock in combination
with Kleinman fails to teach an analyzer processing text strings associated with an
entity. The Office respectfully disagrees. Rock teaches a processor used to analyze
error messages, or chassis codes, from ultrasound systems in a network (See Rock,
Column 3, lines 5-16).

Applicant's arguments with respect to claim 5 have been considered but are moot
in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 1-4 and 6-20 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Rock (U.S. Patent 6,524,245 B1) in view of Kleinman (U.S. Patent 5,724,503).

As per claims 1 and 2, Rock discloses a method for analyzing events from

electronic architecture, which are equivalent to data contained in chassis logs, noting

that "chassis logs" are defined in the Instant Application as "events from internal entities

to specify system health during boot up and operation" (See Instant Application, Page 1,

paragraph 0003). Rock also discloses automatically processing data associated with

the events (See Rock, Column 1, lines 49-60), transforming the data to human

interpretable statements (See Rock, Column 3, lines 62-67, and Column 4, lines 1-27),

summarizing the data (See Rock, Column 2, lines 56-63), setting forth one or more of

the problems/errors (See Rock, Column 3, lines 5-8), and that the data is specific to

boot-up and operation of the electronic architecture (See Rock, Column 3, lines 54-61,

and Column 8, Appendix I). Rock does not disclose expressly that the data is in the

form of a text string. Kleinman discloses processing exception codes into English text

strings summarizing at least one problem related in a system message associated with

an entity of electronic architecture, such as a modem (See Kleinman, Column 9, lines

22-31). Rock and Kleinman are analogous art because they are from the same field of endeavor of electronic exception handling processing. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the text strings of Kleinman with the method of Rock. The motivation for doing so would have been to log or to display to a user the reason why a system request has failed (See Kleinman, Column 3, lines 46-48). Therefore, it would have been obvious to combine Kleinman with Rock for the benefit of logging or displaying to a user the reason why a system request has failed to obtain the invention as specified in claims 1 and 2.

As per claim 3, Rock and Kleinman disclose the limitations of claim 1 as described above. Rock also discloses that the processing step includes processing the data corresponding to software associated with the data, which is one of the possible entities set forth in claim 3 (See Rock, Column 3, lines 55-61).

As per claim 4, Rock and Kleinman disclose the limitations of claim 3 as described above. Rock also discloses processing data representative of one or more messages of the one or more entities, which are equivalent to "chassis codes", defined in the Instant Application as "a series of one or more small messages" (See Instant Application, Page 1, paragraph 0003) (See Rock, Column 3, lines 52-61).

As per claim 6, Rock and Kleinman disclose the limitations of claim 4 as described above. Rock also discloses processing problem details of the chassis codes (See Rock, Column 3, lines 62-67, and Column 4, lines 1-14).

As per claim 7, Rock and Kleinman disclose the limitations of claim 6 as described above. Rock also discloses executing an embedded program with one of the

chassis codes as an argument, to further analyze problems associated with the one entity (See Rock, Column 3, lines 62-67, and Column 4, lines 1-42).

As per claim 8, Rock and Kleinman disclose the limitations of claim 1 as described above. Rock also discloses printing the statement via a fax (See Rock, Column 4, lines 39-42).

As per claim 9, Rock and Kleinman disclose the limitations of claim 1 as described above. Rock also discloses automatically emailing at least part of the statement to some email destination (See Rock, Column 4, liens 34-42).

As per claim 10, Rock and Kleinman disclose the limitations of claim 1 as described above. Rock also discloses acquiring the data from an extraction tool coupled to the architecture (See Rock, Column 4, liens 21-29, and Column 2, liens 24-31).

As per claim 11, Rock and Kleinman disclose the limitations of claim 10 as described above. Rock also discloses extracting the chassis logs from the architecture, separating the chassis logs according to the entities, and transforming the chassis logs to one or more text strings (See Rock, Column 4, lines 9-20).

As per claim 12, Rock and Kleinman disclose the limitations of claim 11 as described above. Rock also discloses accessing one or more analyzers couple to the extraction tool (See Rock, Column 5, lines 7-12).

As per claim 13, Rock and Kleinman disclose the limitations of claim 12 as described above. Rock also discloses utilizing a graphical user interface coupled to one or more of the analyzers (See Rock, Column 2, lines 64-67, and Column 3, lines 1-3).

As per claim 14, Rock and Kleinman disclose the limitations of claim 12 as described above. Rock also discloses processing text strings associated with one of the entities (See Rock, Column 3, lines 5-8).

As per claim 15, Rock discloses a system for analyzing data associated with events from electronic architecture, which are equivalent to data contained in chassis logs, noting that "chassis logs" are defined in the Instant Application as "events from internal entities to specify system health during boot up and operation" (See Instant Application, Page 1, paragraph 0003). Rock discloses that the system includes one or more analyzers for analyzing the text strings and for producing a human interpretable statement about one or more of the chassis logs, each of the analyzers associated with one or the entities associated with software (See Rock, Column 5, lines 7-12, lines 44-51, and Column 3, lines 54-61). Rock also discloses including an interface for coupling the analyzers to an extraction tool acquiring the chassis logs from the architecture (See Rock, Column 3,lines 44-54). Rock does not disclose expressly that the data is in the form of a text string. Kleinman discloses sequentially processing exception codes into English text strings associated with system messages (See Kleinman, Column 9, lines 22-31). Rock and Kleinman are analogous art because they are from the same field of endeavor of electronic exception handling processing. At the time of the invention it would have been obvious to a person of ordinary skill in the art to include the text strings of Kleinman with the method of Rock. The motivation for doing so would have been to log or to display to a user the reason why a system request has failed (See Kleinman, Column 3, lines 46-48). Therefore, it would have been obvious to combine

Kleinman with Rock for the benefit of logging or displaying to a user the reason why a

system request has failed to obtain the invention as specified in claim 15.

As per claim 16, Rock and Kleinman disclose the limitations of claim 15 as

described above. Rock also discloses that the chassis logs include chassis codes from

one or more of the entities, noting that "chassis codes" are defined in the Instant

Application as "a series of one or more small messages" (See Instant Application, Page

1, paragraph 0003) (See Rock, Column 3, lines 52-61) (See Rock, Column 3, line 67,

and Column 4, lines 1-3).

As per claim 17, Rock and Kleinman disclose the limitations of claim 15 as

described above. Rock also discloses extracting the chassis logs from the architecture,

separating the chassis logs according to the entities, and transforming the chassis logs

to one or more text strings (See Rock, Column 4, lines 9-20).

As per claim 18, Rock and Kleinman disclose the limitations of claim 15 as

described above. Rock also discloses processing problem details of the chassis codes

(See Rock, Column 3, lines 62-67, and Column 4, lines 1-14).

As per claim 19, Rock and Kleinman disclose the limitations of claim 18 as

described above. Rock also discloses executing an embedded program with one of the

chassis codes as an argument, to further analyze problems associated with the one

entity (See Rock, Column 3, lines 62-67, and Column 4, lines 1-42).

As per claim 20, Rock and Kleinman disclose the limitations of claim 15 as

described above. Rock also discloses that the interface publishes the statement in the

form of email (See Rock, Column 4, lines 34-42).

7.   Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rock

(U.S. Patent 6,524,245 B1) in view of Kleinman (U.S. Patent 5,724,503) as applied to

claim 4 above, and further in view of Call (U.S. Publication 2002/0143521 A1, filed 10

December 2001, and claiming priority from U.S. Provisional Application 60/255,807,

files 15 December 2000).

        As per claim 5, Rock and Kleinman disclose the limitations of claim 4 as

described above. Rock and Kleinman do not disclose expressly parsing each text string

in order to process data sequentially. Call discloses parsing text strings in sequence

(See Call, Page 8, paragraph 0082). Rock, Kleinman and Call are analogous art

because they are from the same field of endeavor of processing data from distributed

systems (See Call, Page 25, paragraph 0381). At the time of the invention it would

have been obvious to one of ordinary skill in the art to include the sequential parsing of

text strings of Call with the method for analyzing chassis logs from electronic

architecture of Rock and Kleinman. The motivation for doing so would have been to

convert the natural language text string into a sequence of tokens that may be

processed more efficiently and stored in a format requiring less storage space (See

Call, Page 2, paragraph 0015, and Page 7, paragraph 0080). Therefore, it would have

been obvious to combine Call with Rock and Kleinman for the benefit of converting the

natural language text string into a sequence of tokens that may be processed more

efficiently and stored in a format requiring less storage space to obtain the invention as

specified in claim 5.

Conclusion

8.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

9.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Laurie Ries whose telephone number is (571) 272-4095.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Heather Herndon, can be reached at (571) 272-4136.

10.   Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For more

information about the PAIR system, see http://pair-direct.uspto.gov. Should you have

questions on access to the Private PAIR system, contact the Electronic Business Center

(EBC) at 866-217-9197 (toll-free).

LR

WILLIAM BASHORE
PRIMARY EXAMINER
12/17/2005